

REMARKS

This is in response to the Office Action dated January 27, 2005. Claims 15-32 are pending.

Claim 15 stands rejected under 35 U.S.C. Section 103(a) as being allegedly unpatentable over Percival in view of Keith. This Section 103(a) rejection is respectfully traversed for at least the following reasons.

Under 35 U.S.C. § 103, the determination of obviousness is a question of law based on underlying factual inquiries. An obviousness rejection "requires the oft-difficult but critical step of casting the mind back to the time of invention." *Ecolochem, Inc. v. Southern Calif. Edison Co.*, 227 F.3d 1361, 1371 (Fed. Cir. 2000), *cert. denied*, 532 U.S. 974 (2001). Prior art references can be combined to render an invention obvious only if there is some suggestion/motivation to combine them. *Id.* at 1372; *Motorola, Inc. v. Interdigital Tech. Corp.*, 121 F.3d 1461, 1472 (Fed. Cir. 1997). There can be no suggestion to combine if a reference "teaches away" from its combination with another source. *Tec Air, Inc. v. Denso Mfg. Michigan Inc.*, 192 F.3d 1353, 1360-61 (Fed. Cir. 1999). Here, there is no suggestion to combine the two references as alleged in the Office Action. Moreover, the cited art teaches away from the invention of claim 15 so that there can be no suggestion as a matter of law. See discussion below.

Claim 15 requires "storing a compressed representation of the image at the server and transmitting at least part of the compressed representation of the image from the server to at least one client, the method comprising: transforming the image into a frequency domain to form frequency domain coefficients; after said transforming, subdividing the frequency domain coefficients corresponding to the image into at least one block, each block comprising at least

one transformed coefficient; compressing, via entropy coding, at least a first block and at least a second block into different independently decodable coding units, respectively; after said compressing, storing at least one of the first and second coding units on the server; receiving a request at said server; and responsive to the request, transmitting from the server to at least one client the coding unit(s) corresponding to the request so that upon receiving the request the coding units(s) corresponding to the request are transmitted to the at least one client without the server having to employ further entropy encoding with respect thereto."

Thus, claim 15 does not relate to compressing generally as the Office Action suggests, but instead requires compressing via entropy coding at a very specific point during the process. In particular, claim 15 requires that the entropy coding be performed before a request for the information is received. Claim 15 requires that entropy coding is used, and then the compressed information is stored, so that then "upon receiving the request the coding units(s) corresponding to the request are transmitted to the at least one client *without* the server having to employ further entropy encoding with respect thereto." Thus, from the point in time when a request is received for information, that information is transmitted in a compressed form *without* the server having to do any further entropy coding at to that information. Claim 15 thus requires, in this order: (a) sub-divide wavelet coefficients into sets, (b) compress via entropy coding, (c) store the compressed information, and (d) then, upon a request for the information is received, transmit the information to at least one client without the server having to employ further entropy coding. The cited art fails to disclose or suggest this.

Percival does not divide the image into separately decodable *compressed* coding units as alleged by the Office Action. In particular, the Haar transform does not compress the image. Percival even states that the transformed coefficients take up as much memory as the original

pixels (see column 6, lines 60-65). Importantly, any compression done in Percival is done *after* a request is received for that part of the image (thereby teaching away from the invention of claim 15). Since Percival teaches that compression should be done after a request for part of the image is received (the opposite of what claim 15 requires), the reference teaches away from the invention of claim 15 and there can be no suggestion in the art for the alleged combination. *Tec Air*, 192 F.3d at 1360-61.

In contrast with Percival, the method of claim 15 states that the image is stored compressed, so that the compression is done before storing and also before transmission. Percival teaches the opposite of this, because in Percival any compression is done after a request has been received. Again, Percival teaches away from the invention of claim 15.

Keith describes a wavelet transform followed by compression of the coefficients but does not mention sub-dividing the wavelet coefficients into sets. Thus, Keith is entirely unrelated to the invention of claim 15. Even the alleged combination would not meet the claim.

Moreover, like Percival, Keith fails to disclose or suggest that the image is stored compressed (via entropy coding), so that the compression is done *before* storing and also *before* receiving a request for the information. Both Percival and Keith fail to disclose or suggest this feature of claim 15. Moreover, there is no suggestion in the cited art to, in this order: (a) sub-divide wavelet coefficients into sets, (b) compress via entropy coding, (c) store the compressed information, and (d) then, upon a request for the information is received, transmit the information to at least one client without the server having to employ further entropy coding, as called for in claim 15. It would not have been obvious for one of ordinary skill in the art to have combined the basic concept of wavelet transforms in Keith with the Haar transform in Percival,

and then add the differences and further steps mentioned above, e.g. subdividing the confidents into subbands.

Claim 28 requires "means for identifying at least one of a plurality of independently decodable coding units which contains at least one transform coefficient needed to reconstruct the region of interest of the image, the independently decodable coding units being defined as objects compressed by using entropy coding; and means for transmitting, from the client to at least one server, a request for said at least one identified independently decodable coding unit needed to reconstruct the region of interest of the image." Again, the cited art fails to disclose or suggest the invention of claim 28.

For at least the foregoing reasons, it is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

Respectfully submitted,

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